

1 In accordance with the Order, Plaintiffs and Equifax met and conferred via email on
2 Tuesday through Thursday, December 19-21, and held a productive telephone conference on
3 Thursday. The parties were unable to confer by telephone on Wednesday due to the unavoidable
4 travel itinerary of lead counsel for one of the parties.

5 The parties agreed that developments in two discovery processes will inform the scope of
6 the disputed items between the parties for this Court's consideration, if not meaningfully alter
7 the nature of those disputes.

8 First, the parties are actively working to address Plaintiffs' concerns regarding the
9 Equifax Master Agreement with FIS Card, which Plaintiffs argue "appears to be an incomplete
10 document." Docket No. 75 at 21. They seek "the complete contents of the controlling Master
11 Agreement during the Relevant Time period." *Id.* Equifax disagrees with the facts as set forth in
12 Plaintiffs' Emergency Motion and disagrees that Plaintiffs were entitled to any of the relief
13 sought in the Emergency Motion. Equifax has conducted a good-faith, reasonable search for
14 documents responsive to Plaintiffs' requests, but it is conducting one final search to
15 accommodate Plaintiffs' requests and has offered to produce authenticating declarations
16 regarding the FIS Master Agreement documents produced to date.

17 Second, Plaintiffs have served supplemental discovery requests, the responses to which
18 Equifax is due to serve by December 29.

19 The parties agreed it would be premature for this Court to consider and decide the
20 discovery disputes at issue before permitting developments in these two areas to run their course.
21 The parties believe that it would be more constructive for the parties to continue narrowing and
22 crystallizing the dispute in an effort to make the final joint statement submitted to this Court as
23 narrow as possible.

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1 To that end, the parties propose and stipulate to the following timetable:

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3 **December 29** Equifax's deadline to serve responses to Plaintiffs' supplemental discovery requests

4 **January 5** Deadline for the parties to conclude their meet-and-confer efforts regarding the FIS Master Agreement and
5 Equifax's responses to Plaintiffs' supplemental
6 discovery requests

7 **January 12** Deadline for parties to submit joint statement in
8 accordance with Docket No. 82.

9 The parties do not wish to needlessly postpone resolution of the disputed discovery
10 requests; nor do they wish only to delay their efforts preparing the joint statement in accordance
11 with Docket No. 82. The parties agree that while some disputes may only be resolved or altered
12 after developments in the two areas above, there are some disputed requests that are unlikely to
13 be affected by any developments in the next two weeks. As such, the parties will work diligently
14 until January 5 to draft the sections of the joint statement pertaining to disputes that are unlikely
15 to be meaningfully affected by developments in the next two weeks.

16 Good cause exists for this extension—namely, to allow the parties additional time to
17 conduct discovery relevant to disputed items raised in Plaintiffs' Motion to Compel, Motion for
18 Leave to File Supplemental Authority, and Motion to Extend Discovery and Reopen Expert

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1 Discovery, and in Equifax's responses to them. Moreover, this extension will give the parties
2 time to crystallize and narrow the scope of disputed items to minimize the burden on this Court
3 and target this Court's intervention to intractable disputed issues.

4 Respectfully submitted this 22nd day of December, 2017.
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6 /s/ Matthew I. Knepper

7 Matthew I. Knepper
8 Miles N. Clark
9 KNEPPER & CLARK, LLC
10 10040 W. Cheyenne Ave.
Suite 170-109
Las Vegas, NV 89129
Email: matthew.knepper@knepperclark.com
Email: miles.clark@knepperclark.com

11 David H. Krieger
12 HAINES & KRIEGER, LLC
13 8985 S. Eastern Avenue
Suite 350
Henderson, NV 89123
Email: dkrieger@hainesandkrieger.com

14 *Attorneys for Plaintiffs*

6 /s/ Bradley T. Austin

7 Bradley T. Austin
8 SNELL & WILMER, LLP
9 3883 Howard Hughes Pkwy, Suite 1100
Las Vegas, NV 89169
Tel: 702-784-5200
Fax: 702-784-5252
Email: baustin@swlaw.com

11 Zachary A. McEntyre (admitted *pro hac vice*)
12 Misty L. Peterson (admitted *pro hac vice*)
13 KING & SPALDING LLP
14 1180 Peachtree Street N.E.
Atlanta, Georgia 30309-3521
Tel: (404) 572-4600
Fax: (404) 572-5100
Email: zmcentyre@kslaw.com
Email: mpeterson@kslaw.com

16 Bryan E. Zubay (admitted *pro hac vice*)
17 KING & SPALDING LLP
18 1100 Louisiana Street, Suite 4000
Houston, Texas 77002-5213
Tel: (713) 276-7358
Fax: (713) 751-3290
Email: bzubay@kslaw.com

19 *Attorneys for Defendant EQUIFAX*
20 *INFORMATION SERVICES, LLC*

21 IT IS SO ORDERED:

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UNITED STATES MAGISTRATE JUDGE

23 DATED: December 22, 2017
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